

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NML CAPITAL, LTD.,

Plaintiff,

09 Civ. 7013 (TPG)

- against -

**DECLARATION OF
MARTIN DOMB**

ENERGÍA ARGENTINA S.A. and
THE REPUBLIC OF ARGENTINA,

Defendants.
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I, Martin Domb, hereby declare:

1. I am a member of Akerman Senterfitt LLP, attorneys for defendant Energía Argentina S.A. (“ENARSA”) in this action. I submit this declaration in support of ENARSA’s motion to dismiss the claims alleged against it.

2. The purpose of this declaration is to submit to the Court copies of (a) the 2004 law and decree by which the Republic of Argentina (the “Republic”) established ENARSA and approved its articles of incorporation and by-laws, (b) unreported decisions and transcripts of proceedings cited in ENARSA’s accompanying memorandum of law, and (c) other publicly available materials, as listed below. For the Court’s convenience, I also attach a copy of the complaint in this action (at tab G).

Document	Tab
Law 25,943 (promulgated Nov. 2, 2004) (establishing ENARSA).	A
Decree No. 1692/2004 (Dec. 1, 2004) (approving ENARSA’s articles of incorporation and by-laws).	B
Transcript of proceedings in this action on August 11, 2009, pages 1 and 48-56 (which contain the Court’s ruling).	C

“Argentina Wraps Up Debt Swap But Has Yet To Reap Benefits,” Wall Street Journal, June 23, 2010.	D
Order in <u>Seijas v. Republic of Argentina</u> , No. 04 Civ. 400 (TPG) (S.D.N.Y. Aug. 19, 2009).	E
Amtrak’s 2009 Annual Report, pp. 1-5, 34-61 (available at http://www.amtrak.com/servlet/ContentServer/Page/1241245669222/1241256467960) (last visited on August 6, 2010).	F
Complaint in this action, filed on August 7, 2009	G

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed in New York, New York on August 6, 2010.

s/ Martin Domb

Martin Domb